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TEAMSTER CONVOY DISPATCH

109

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975 July 1988 #80

Mathis Says 36% Yes Is Good Enough for Him

Members Contest NMFA Ratification

Five Teamsters, backed by TDU, filed suit May 26 in U.S. District Court, Washington, D.C., to void the ratification of the National Master Freight Agreement (NMFA) and enjoin the employers and IBT officials from continuing to implement it. The next day, acting General President Weldon Mathis denounced the lawsuit, saying, "five disappointed members" are trying to "destroy the master freight agreement."

The lawsuit is one battle in the rapidly spreading war over the future of our union. Weldon Mathis believes the road to a strong union leads to the golf course, and that those who are on the front lines of the war are just a few disappointed and destructive members. A growing army of Teamsters, and many officers as well, believe our future is down a different road, not Country Club Lane but Solidarity Drive, and that our union is in danger of self-destruction unless there is a change of course.

The lawsuit, *Gallagher vs. Mathis*, was filed three days before the implementation of the contract, with advance notice served on the employers' associations and the IBT. It charges that the overwhelming vote of 64,101 No to 36,782 Yes reflected a rejection of our largest contract and required a return to the bargaining table.

The lawsuit challenges the International's interpretation of the IBT Constitution that one-third of those voting can ratify contracts. The lawsuit asserts that, although a two-thirds vote is required in strike votes, a majority is still needed for acceptance. This same issue is already in court regarding the 1987 UPS contract.

The NMFA lawsuit also charges that even if a two-thirds No vote is required, the near-miss of 64% No was caused by a gerrymandered voting procedure, which included those likely to vote Yes and excluded those likely to vote No. Specifically, the suit alleges:

1. Nearly 2,000 Signal Delivery Teamsters covered by the 1985-88 NMFA were denied ballots; in the Midwest they were actively organizing to stop a sell-out NMFA. Plaintiff Wil Heimlich of Ohio Local 40 is from this group.

2. The IBT sent ballots to employees of numerous corporations who are not party to the NMFA and are covered by completely different contracts. One example: some 1,000 ballots went to Schneider Transport, where drivers are paid 26 cents per mile and their contract had not even expired. If they were led to believe they would go to 38 cents a mile, they would very likely vote Yes.

3. Top IBT officials signed a separate deal covering 4,000 Teamsters with Transcon in early May, but covered it up until after the NMFA votes were counted two weeks later. Those ballots should have been segregated (see page 5).

4. Many members in areas where there was strong opposition to the contract did not get ballots or were mailed

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'I Think I'll Finally Join TDU'

That's what Teamsters from coast to coast are saying this month. We're breaking all records for recruitment, and for good reason.

Members demand information on the contracts, and they get it. They expect a continuing analysis of their industries and answers to their questions, and they get it. They demand legal action to attempt to void the bogus freight contract vote. It's in court this month.

Now Teamsters are demanding more, Majority Rule on our contracts and the Right to Vote for our top officials. TDU is dedicated to winning these and we're gearing up to get the job done.

The faster we grow, the sooner we accomplish these goals. It's that simple. Your support and $30 yearly dues bring us closer. Isn't it time you finally joined TDU?

TDU MEMBERSHIP APPLICATION

Name_____ Local Union #_____
(please print)

Address _____

City_____ State or Province_____ Zip _____

Phone (___) _____ Company _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production
☐ Other_____

___$30 membership fee for one year's membership & subscription to CONVOY DISPATCH.
___$75 three year membership fee. ($10 of this shall be rebated to the local chapter.)
___$15 for spouses; retirees; & Teamsters who gross less than $12,000 a year.
☐ Check or money order ☐ Cash
☐ Mastercard/Visa:#_____ Exp. date___/___

Date_____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
(TDU membership is kept confidential from employers and union officials)

Western NMFA Office Workers Fight for Equality on Contract

Jessica Soffer
Local 692, CF
TDU/OWE coordinator

Southern California office workers have formed, with the help of TDU, a committee to fight for an equal pay raise, parity and equal representation in the new freight agreement. The committee, Office Workers for Equality (TDU/OWE), has kicked off the fight on behalf of all Western Conference office workers.

Charges have been filed with the EEOC against the IBT, Western Conference freight division, TMI, RCI and five individual companies, alleging they have violated the Civil Rights Act, Title 7, by committing sexual discrimination. Appendix C of the office workers addendum provides for the only permanent two-tier wage scale in Teamster freight contracts. Petitions also are being circulated throughout the Western Conference as a sign of support for this action. The petition reads:

The following Western Conference office workers support action to remove the sexually discriminating Appendix C from our contract.

We belong to the same locals. We pay the same dues. We demand equal representation.

We call upon the Teamsters National Freight Industry Negotiating Committee to immediately extend, to all office workers working under the Master Freight Contract, the same entry rate (new hire) wage formula (85%-90%-95% and parity in 18 months) negotiated for all other employees under this 1988-91 Master Freight Agreement.

continued on page 3

Teamsters for a Democratic Union
P.O. Box 10128
Detroit, Mich. 48210
(313) 842-2600

CHATTANOOGA, TN
PM
JUL
1993

From the Members

Step Forward, Don't Rely on a Few

Thank you for a memorable association.

I am now retired and away from the everyday madhouse. I sincerely hope and pray that your essential work continues through necessity and perseverance to protect the many benefits, job security, union representation, pensions and, above all, a fair and firm grievance procedure to protect all the above.

Many Teamsters take things for granted, don't make waves, and rely on a few to protect all. Many more better come forward to fight for themselves.

Join TDU to help.

John Speckman
Local 710, Transcon, retired
New Mexico

Sleeping Giant

I am recently retired and living in the California desert. My pension is what most would consider adequate. So much for the "up" side.

The "down" side is that the present leadership of our union seems content to watch the trucking industry slip away a little at a time, excusing its conduct by protesting that deregulation has made organizing too tough.

I believe the greatest failing of union leadership today is not corruption but complacency. The labor movement seems to be a sleeping giant, unable to arouse himself or unwilling to expend the effort needed to assure his own survival.

Jim Kinney
Local 63, PMT, retired
Los Angeles

Back Your Union and Support TDU

I joined my local in April 1950. I back my union and I am a member of DRIVE. I also back TDU because I, and we, need TDU to fight for us so this type of contract never happens again. I'm mad that 35% can dictate to 65% of the members.

I'm asking for support from Kansas City and all over the country to give to and support TDU so they can fight the laws of the International in Las Vegas and Washington in the coming years.

The local bylaws and International Constitution take everything away from brother and sister Teamsters. We need a change. Join TDU and help us, so this union goes back to the members.

Don Herrington
Local 41, Churchill
Kansas City, Mo.

Pension Benefits Are Humiliating

A few facts about the Teamsters pension fund. The union tells us that we have a good pension. After reading this, you be the judge.

Twenty-one years ago, when I started working for UPS, the pension was about $500 per month.

The rate of pay then was $2.50 per hour. The rate now is over six times what it was then, yet the pension has only doubled.

Think about what the 30-year pension would be if broken down weekly: $1,000 divided by four weeks, minus taxes, equals approximately $150 per week. This is good? I think it is humiliation.

What about all the blood, sweat and tears we have had to put out for so many years? The Teamsters pension fund is a disgrace.

Ronnie Mullis
Local 728, UPS
Augusta, Ga.

I can't be to work today...
'cause I ain't got home yesterday yet!

Prepare for 1991 IBT Convention

I'm outraged that once again the majority of the voting members have been raped by our own International officers. First the UPS agreement, then the NMFA, who's next? Please tell me why the two-thirds rule ever became part of our International Constitution?

Concession after concession is being given to our employers while we, the "mighty (?)" Teamsters union, just sit back and let a few renegades rob us and our families of contracts that could mean a prosperous livelihood for all the majority. I agree with TDU Western organizer Doug Allan that we should make every effort possible to elect "rank-and-file-minded" officials who as delegates will have the courage to stand up and say "enough is enough" at our 1991 International Convention.

We the hard working, dues paying, proud and determined demand Majority Rule. We want and will continue to demand the Right to Vote for our International officers, including the General President.

We all know the problems. Now is the time to create goals, plans and objectives of how we can win first on a local level, then carry our victories to the International Convention, where the proud can be heard and where justice can begin.

Jim Moody
Local 542, UPS
San Diego

13th Annual TDU Rank & File Convention October 22-23 Atlanta

MOVING?

Please notify us of any change of address. Otherwise you will not receive your *Convoy Dispatch*, as it is sent third class mail and will not be forwarded to you. Use the membership application in any issue of the paper to let us know you are moving, and write CHANGE OF ADDRESS on the top of the form.

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TDU Steering Committee

Co-Chairs:	*Members:*
Pete Camarata, #299	John Braxton, #623
Joe Day, #170	Dan Campbell, #486
Diana Kilmury, #213	Sam Fenn, #63
Michael Savwoir, #41	Doak Jones, #70
	Doug Mims, #728
Organizer:	Michael Ruscigno, #138
Ken Paff, #407	Gail Sullivan, #278
Trustees:	*Alternates:*
Sarah Bequette, (#600)	Don Landis, #773
Mike Friedman, #407	Scott Askey, #63
Tom Pizzuto, #863	J. Anthony Smith, #639

How to Contact TDU Offices

We want to hear from you. Contact us at one of the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

TDU National Office: P.O. Box 10128, Detroit, Mich., 48210. (313) 842-2600.

TDU/PROD Washington Office: 2000 P St., N.W., Room 612, Washington, D.C., 20036. (202) 785-3707.

TDU N.Y./N.J. Office: YWCA Building, Room 620, 30 Third Ave., Brooklyn, N.Y., 11217. (718) 834-0631.

Teamster Western-area Organizer: Doug Allan, P.O. Box 7445, La Verne, Calif., 91750. (714) 593-9791.

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1987 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

Washington Watch

Supreme Court Rulings Expand Workers' Rights

Unions May Urge Secondary Boycotts

The U.S. Supreme Court unanimously ruled April 20 that labor unions have the right to handbill to urge secondary consumer boycotts, strengthening our ability to wage strikes and corporate campaigns against anti-labor employers. The decision overturned NLRB policy and is a significant victory.

In *DeBartolo vs. Florida Gulf Coast Building Trades Council*, the Supreme Court ruled that it was legal for the union to peacefully handbill at a shopping mall, urging customers not to shop at any of the mall's stores until the mall owner promised that all mall construction would be done by workers paid fair wages. The NRLB ruled this to be an illegal secondary boycott. A secondary boycott is a boycott of a neutral employer, aiming to put pressure on the primary employer, with whom the union has the beef. The Supreme Court ruled that the First Amendment to the U.S. Constitution protects free speech on this issue.

Provisions for Legal Boycott

The Court said that such secondary boycotts would be legal provided that 1) the handbills distributed are truthful, 2) the handbilling is peaceful, not coercive, and no picketing is involved, and 3) the handbills are aimed at a consumer boycott and not a secondary work stoppage.

This ruling can benefit Teamsters in a number of situations. For example, striking Teamsters at a food wholesaler can handbill independent stores who deal with the wholesaler. Or striking cannery Teamsters can urge boycotts of supermarkets or fast-food chains that buy struck goods.

Labor needs to use every possible tool of solidarity and community support in this day and age, and this ruling aids that process.

Workers Can Sue Under State Laws

Jonna Lingle won a victory at the U.S. Supreme Court June 6 for all workers on an issue that TDU has been actively working on: the right of workers to sue under state laws, and not have the suits thrown out on the grounds that they already were heard through the union grievance procedure. In a unanimous decision, the Supreme Court ruled that you can file suit regarding your job if there was a violation of state law, and courts will not be able to throw your case out because you lost a grievance.

Jonna Lingle was discharged from Magic Chef on Dec. 11, 1984, for what she claimed was a retaliation firing for filing a workers compensation claim. In 1985, Lingle filed suit in Illinois state court but the employer had it removed to federal district court, where the judge ruled the case was intertwined with her grievance on the discharge, and threw the case out. Finally, the Supreme Court ruled in her favor: she has the right to sue her employer under Illinois state law, charging retaliation for filing a workers compensation claim.

The same right to sue would exist under state handicap discrimination laws, state health and safety laws, etc. It would not give any protection that does not come under a state law, however. This is one good reason for states to pass worker-protective legislation, as these laws now will have more teeth.

TDU has been active on this issue, before the Illinois State Supreme Court and in the federal courts, submitting *amicus* briefs along the lines the Supreme Court has now ruled on in the *Lingle vs. Norge* (Magic Chef) case.

New Federal Rules on Alcohol Will Reopen NMFA, Article 35

The new federal rules on drivers' use of alcohol will force a reopening of the NMFA as soon as September. The new rules state that a driver who shows any level of alcohol on the breath or in the blood will be placed out of service for 24 hours. If the level reads .04% or more the driver will be disqualified for one year. A second violation will bring disqualification for life.

Under the new language in Article 35, Section 4 of the 1988-91 NMFA, the employers and union have agreed to renegotiate provisions of the agreement directly affected by the new alcohol rules. If the parties fail to agree, the issue will be heard by the National Grievance Committee, setting up the possibility of a deadlock and a strike, if needed, to protect Teamsters.

Federal officials predict the new regulations could be in effect as early as September. TDU is submitting comments to the DOT on the regulations. Once approved, federal inspectors will follow the procedures and states will quickly begin the same programs. States that don't comply with the new regulations by Oct. 1, 1993 face a cutoff of federal funds.

If the standards are approved, the greatest impact will fall on the two-hour report time for drivers on call. R.V. Durham, director of the IBT's safety and health department, has said the union will do "what is necessary to protect the driver." The union has proposed two possibilities. The first would be to extend a driver's call time, depending on how long it takes the body to process a modest amount of alcohol. The second would be to allow drivers to slide on the board for a certain number of hours.

The employers don't like either proposal. A spokesman for the American Trucking Associations complains that a longer call time could hurt carriers by preventing them from dispatching as quickly as possible. The objection to the ability to slide on the board is that drivers will take advantage of this to "get more time off." To ease their minds, the union has stated that they have ways of taking care of drivers who "play the board!"

Because the new regulations are likely to be approved, the National Negotiating Committee should enter into negotiations *now* to put into effect one of the two alternatives proposed and stay tough on the issue. A .04% level isn't much alcohol, and drivers should take care when drinking while off duty. We'll keep you posted on further developments.

Office Workers

continued from page 1

We believe the lack of representation shown the office employees, at the recent negotiations, to be both sexually and professionally discriminating.

So far the response is encouraging. Drivers and dock workers (mostly men) are lending much support. At the general membership meeting of Local 692, held in May, a resolution was adopted with a resounding YES, demanding immediate parity for the office workers.

If you are an office worker who is angry about this discriminatory treatment and feel you have no recourse, contact TDU/OWE. No one will help us if we don't help ourselves.

To get petitions, information, share your experiences or offer your help, contact TDU/OWE, P.O. Box 3214, Lakewood, Calif. 90711. (213) 325-1673; (714) 593-9791; (213) 433-7025.

S.T.R.I.V.E.

Support The Rank & File In Voting Equality

STRIVE FOR SOLIDARITY

S.T.R.I.V.E. is a solidarity fund to provide urgently needed funds for the ongoing battle against the imposition of a minority-rule contract, and for regaining rank and file control of our Teamsters Union. Funds will in part support the case for a court injunction to have the NMFA ratification invalidated and to help launch a campaign to win majority rule on our contracts and the right to vote for our international union leadership.

"You're Counting on Us—We're Counting on You"

Local Union: 63, 495 Company: CF Terminal: Mira Loma

Name and Signature of Collection Agent: Robert Kirkpatrick

The undersigned have contributed to the TDU-STRIVE Fund. All donations of $10 or more will be acknowledged in writing. Those donating $30 or more will be given a one-year membership in TDU and added to our mailing list (be sure to include full address). Please make checks payable to TDU-STRIVE.

Name (please print)	Address	City	State/Zip	Amount Donated
Robert KIRKPATRICK	9582 WASHBURN	APPLEVALLEY	CA. 92307	10.00

STRIVE Off to Good Start

As of mid-June some 1,000 Teamsters have contributed nearly $10,000 to the STRIVE Fund, getting it off to a good start. Most donations received by the STRIVE Fund come from collections taken up at terminals or within local unions.

Bob Kirkpatrick, a steward in Local 63, has collected over $800 at the CF terminal in Mira Loma, Calif.:

"The leaders of *our* union imposed their will on *us* and ratified a contract that 64% of the membership voted against. The improprieties of this last contract are staggering. Now TDU and the membership must send a message to the IBT leadership through STRIVE. This is our union."

If you want to help STRIVE FOR SOLIDARITY, call (313) 842-2600 right away.

Rank-and-File Investigators Work on Lawsuit

Rank and file freight Teamsters nationwide have been tying up the TDU phones night and day to offer their assistance on and support of the lawsuit filed to void ratification of the 1988-91 NMFA. Plaintiffs in the *Gallagher vs. Mathis* case are: Keith Gallagher, Local 229 (Roadway); Frank Greco, Local 478 (CF); J. Wilbert Heimlich, Local 40 (Signal); Richard Miles, Local 600 (OK Trucking); and Jessica Soffer, Local 692 (CF).

Many Teamsters working independently have sent valuable information and evidence to the TDU Washington office with respect to irregularities in the NMFA balloting.

This lawsuit could not have been filed without the support of the hundreds of Teamsters who have been assisting our lawyers in gathering evidence. The IBT has filed a motion to delay discovery in an effort to prevent us from getting the evidence we need from them, so the investigatory skills of the rank and file, as well as of local officials who are on our side, have helped us tremendously in preparing to go to court. We thank Teamsters everywhere for their support in the fight to win Majority Rule on contracts.

Companies That Haven't Signed

Some 1,000 carriers have not yet signed the NMFA and are still operating under an extension of the old 1985-88 contract. Many are small outfits, but major carriers, including PIE, ANR, Jones Truck Line, North West Transport, Holmes and Con-Way Eastern Express (CEX), have not signed. Some of these carriers will sign the agreement without much resistance, but others are hoping to bust out of the NMFA and cut a special deal.

Negotiations are being held with each carrier, with a union official or committee designated by the IBT to meet with them under instructions not to sign anything but the NMFA.

Teamsters at these carriers should expect and demand the full, 100% NMFA in monetary and non-monetary terms. IBT officials have promised a policy of no deviations from the NMFA, except for "profit sharing" plans under Article 6, which require a 75% Yes vote to implement.

Every Teamster should expect and demand full retroactive pay to April 1. The longer these negotiations drag on, the more incentive a corporation has to try to keep that money. It already amounts to over $2,000 for some Teamsters (those 70%ers and 80%ers getting significant raises). Members should make these demands through their locals to hold the top officials to their policy.

Negotiations can drag on for months and the employers have no incentive to pay up! Members should convey through their locals, and also directly to the IBT, that they expect some deadline to be set for resolution. CEX Teamsters signed a systemwide petition out of Baltimore to make their position clear.

If the International does agree to any deviation at any carrier, including the waiver of retroactive pay, the affected members are entitled to a secret ballot vote on it. Be sure to keep in touch with TDU if there is any question about your contract rights.

- The Iron and Steel Rider in the Eastern and Central Conferences has not been negotiated yet. These members are assured of a vote on this deal and must be on guard regarding further concessions, including on pensions and H&W.
- The IBT signed an agreement June 10 with the Motor Carrier Labor Advisory Council (MCLAC), representing some 50 carriers employing some 35,000 Teamsters, mostly in the Midwest. The IBT claims it is the same agreement TMI and RCI signed in May, but we have not been able to verify this yet.

Master Freight Lawsuit

continued from page 1

improper materials and could not get duplicates. Plaintiff Jessica Soffer of Long Beach, Calif., Local 692 is representative of this group.

5. Members who (violating no rule) wrote messages on their ballot in addition to voting No had their vote improperly voided.

TDU attorneys filed a motion for expedited discovery with the lawsuit, demanding the IBT officials produce several key documents regarding the balloting. But they have so far deployed their legal staff (paid with members' dues) to dodge and stall. As we go to press, our side is filing for a Temporary Restraining Order (TRO) to force an immediate first hearing on the issues by late June.

Rank-and-File Support

Membership support has been tremendous, according to TDU attorney Chris Allamanno. She has been working steadily, along with attorney Paul Levy, to prepare the case and compile a three-foot stack of evidence.

"Members have been great about getting evidence on contracts, from their locals, making out affidavits, volunteering as witnesses, everything," Allamanno reports (see page 3).

Members are aware this is a difficult case. IBT officials and employers, whose attorneys will work 100% together against the rank and file, are claiming the IBT officials have the sole right to interpret and enforce the IBT Constitution as they see fit. But we have prevailed before in such cases, including voiding an illegal vote in 1984 on the UPS contract. "A lot of members are counting on us to give it everything we've got," plaintiff Keith Gallagher says. Gallagher, a member of Scranton, Pa., Local 229 adds, "This case is about hope and the future of our union, and whether or not it will come back strong or grow weaker and weaker."

Nearly 1,000 members have already donated to the STRIVE program (Support The Rank and File In Voting Equality), both to help with immediate expenses and for the fight to win Majority Rule and the Right to Vote on International officers.

The Future: Take Control

The war in our union is not about one contract, it's about the future. The fight for Majority Rule affects us all. Last year 117,000 UPSers got a contract imposed on them by minority rule. This month 2,000 Teamsters at five Stroh breweries got the same treatment. And 700 grocery warehousemen and drivers at Foodland and A&P in Detroit were hit with minority rule deals. As more and more Teamsters get fed up with concessions, they come up against this anti-labor rule.

Meanwhile at the top of our union, International vice presidents, most of them millionaires who never stand for election, are squabbling over who will succeed Jackie Presser. That little skirmish means little to us. What we need to do is organize our army of members and concerned local officers to take control back and run our own Teamsters union. TDU is nothing more nor less than the organizing force of that rank-and-file army. It's high time to mobilize for a new direction. If you agree then it's time to enlist. The application is on page 1.

National Freight Meeting
October 23
TDU Rank & File
Convention
Atlanta

Freight Lines

How Did Your Local Vote on the Freight Contract?

Your local officers can find out how your local voted on the NMFA referendum. All they have to do is send a TITAN message to the International and request it. Several locals have reported to their membership on the vote totals:

	Yes	No	% No
Baltimore, Local 557	117	888	88
Sacramento, Local 150	122	644	84
Buffalo, Local 375	133	605	82
Columbus, Local 413	NA	NA	81
Los Angeles, Local 63	546	1,804	76
Los Angeles, Local 208	279	800	74
Kansas City, Local 41	717	1,257	61
St. Louis, Local 600	1,559	824	34

Of interest is the vote in freight director Jack Yager's home town of Kansas City, where Local 41 members turned down the agreement by a wide margin. In Atlanta Local 728, home local of acting IBT General President Weldon Mathis, an observer at the count remarked, "Atlanta killed it dead" with over an 80% rejection.

If you'd like your own local's count, we urge you to request your local officers to send a TITAN message to get the count. Report it to us. After all, we believe the members have the right to know.

Signal Bargaining Begins in Nashville.

Signal Delivery management met in Nashville, Tenn., June 14 with IBT representatives, including Sam "Sell-out" Stintsman, Jimmy Carrington of Memphis Local 667, Frank Wsol of Chicago Local 710 and Jerry Cook of Atlanta Local 528. Several locals submitted excellent demands to the union negotiators, who represent over 2,000 Teamsters in 45 local unions. Active Teamsters are organizing to bring those Signal drivers suffering under the "Iron and Steel Rider" and other inferior deals up to the top level, and for a no-concession deal.

Nashville Roadway: Give 'Em An Inch ...

In the new Southern Conference Supplement the union gave away some towmotor bids on the dock. The old contract called for one out of every five dock bids, but the new contract reduces it to one out of every eight. Roadway management at the Nashville breakbulk lost no time in cutting towmotor bids from 21 down to 6, destroying years of seniority. Now actually they should be able to reduce bids to 13, not 6. But Roadway got so excited over its new concession that it also re-interpreted the clause to go by each separate bid shift, rather than the total. The issue is being grieved and some action out of Local 480 is hoped for.

Baltimore Says No to Conway-East Concessions.

In June, Baltimore Local 557 officers presented over 300 signatures of Con-Way Eastern Express (CEX) Teamsters on petitions saying No Concessions, a clear majority of the workforce, to a meeting of union representatives in Syracuse. Local 557 leaders have taken a No Concessions stand throughout the NMFA bargaining, and the Baltimore Con-Way drivers circulated the petitions around the system.

Although CF has signed the NMFA, its subsidiary CEX, the only unionized Con-Way division, is demanding a substandard contract with ESOP-style takeaways. Indications from New England and Pennsylvania are that there is solid rank-and-file support for the Baltimore stand of accepting only the NMFA.

Cincinnati Roadway Drivers Building Legal Defense Fund.

Road drivers at Roadway Express in Cincinnati have set up a legal defense fund to help defend themselves against unjust discharges. Contributions to the non-profit account are tax deductible and may be made directly to Fifth-Third Bank, 11792 Lebanon Road, Cincinnati, Ohio 45241. Checks should include the account number, 50871031, and be written out to the name of the account: 241 R.E.S.M.I.T.H., which stands for "Roadway Elite Serving Men Individually Through Helping."

PIE Offers Friendly Vacation Tip.

A memo from the company that cares: "We are going to have a cash drop in the months of June and July. We can cover it but it will be expensive. The drop is because of the heavy vacation schedule for those two months. If it doesn't make a difference to your family or to your plans, take your vacation a little later. There are great places to go to in the fall of the year. Have a great summer you deserve it."

Well, if you're going to take your vacation in the fall, how about Atlanta on Oct. 22 and 23? That's the site of the TDU Rank & File Convention.

Before Contract Even Ratified ...

Mathis Undercuts NMFA at Transcon

"It's probably an OK deal for Transcon employees, especially because so many of them have a lot of seniority and may not be able to find other jobs. But it's very damaging for our union in the trucking industry." That's how a Teamster business agent summed it up.

Long before the votes were counted on the NMFA, IBT officials violated and undercut the new contract when they signed a separate, substandard pact with Transcon Lines covering 4,100 Teamsters. Then they covered it up and denied it existed until the NMFA voting was over, allowed Transcon to dictate the timing of local union votes and lied all along the way.

The Cover Up

On May 6, Transcon Chairman Orin Neiman issued a statement: "The company is pleased to announce that we have reached an agreement with the IBT ... we're waiting for the IBT membership to ratify the NMFA, after that we can present the separate Transcon Lines Tentative Agreement to our employees." TDU then demanded that if Transcon was under a separate deal, their votes should be separated from the NMFA tally. The IBT denied it had cut such a deal and said Transcon was putting out this story to get credit from its banks.

The IBT officials were lying to cover up their dirty work, because letting this bombshell out would have swelled the No vote on the NMFA beyond 64% and provided a legal basis for separation of the Transcon ballots.

This came to light three weeks later on May 26 when a meeting of local officials was called in Washington, where Weldon Mathis stood arm-in-arm with top Transcon management to present the "Transcon Lines Addendum to the NMFA." Multi-color pamphlets were already printed up by the thousands by management, which actually announced local union meetings for June 11-12! Transcon announced local union meetings before the local's officers knew anything about the deal.

The Deal

The Transcon Lines Addendum, which is really a separate contract, allows:

1. Wages to be cut by more than 17% below union scale. (Take 35 cents off the NMFA rate, then take 15% off that rate.) The 35-cent cut is to be restored in three years.
2. Wages to be tiered at 80%-82.5%-85%.
3. Casuals to be paid at 35 cents below union scale ($12).
4. Sick days to be paid only when hospitalized (estimated to be a concession of at least 90% of total sick-day payout).
5. An expiration date of June 1, 1991, to get completely away from the NMFA timetable.
6. "Profit Sharing" with a $350-a-year bonus, $175 of it coming immediately after ratification.

The Violations

Article 6 of the newly imposed NMFA states, "Wage deduction under any plan hereinafter adopted shall not exceed 15% of the applicable wage rate." In a letter dated May 27, Mathis informed all locals the Transcon deal "meets the guidelines" of Article 6. Either his math is bad or he's a liar. Transcon workers are being paid 17% less than Teamsters covered by the NMFA, so how can it "meet the guidelines?" If 17% is OK, how about 19% or 27% for the next carrier?

Nowhere in Article 6 "guidelines" is there anything about giving away benefits in addition to wages. If sick days can go, how about holidays for the next carrier?

Worst of all, how can an "Addendum" to the NMFA last two months longer than the NMFA itself? Some guidelines!

The Victims

Transcon Teamsters were presented with little choice. The corporation held "captive audience" meetings with videos, and top management let them know they would close up immediately if they voted No. Without the protection of a preferential hiring list for Teamsters who lose their jobs at defunct carriers, an essential item Mathis failed to negotiate in our contract, what choice did our brothers and sisters have? The the vote at most locals was conducted right at the terminal, under the boss's watchful eye. The result was that 84% voted Yes.

Now PIE, ANR and other corportions are waiting in line for their goodies from the Weldon Mathis Bargain Basement. It will be harder than ever to maintain and rebuild our NMFA. And Jimmy Hoffa, who put together the unified master freight agreement as the backbone of Teamster strength, is turning over in his unmarked grave.

ANR Busts National Freight Agreement in East and South

ANR Freight, one of the largest freight carriers in the country, is expanding rapidly and cutting sweetheart deals in direct violation of the contract. ANR, a subsidiary of Coastal, a multi-billion dollar corporation, went to its employees early this year and received a 12% wage cut in exchange for a "profit sharing" program. Over 80% of the employees agreed to the wage cut.

With this money the company has rapidly expanded into the East and South, opening terminals in Pennsylvania, New York, New Jersey, Maryland, Tennessee, Florida and Georgia. But here's the catch: In the majority of new terminals opened, ANR has signed white paper agreements at pay scales way under the National Master Freight Agreement, and in some cases has not even signed a union contract.

So far the International has done nothing to enforce the contract. In fact, the worst deal we heard of is in Atlanta Local 728, the home local of our acting General President, Weldon Mathis!

ANR Teamsters are presently working under the extension of the old NMFA. The NMFA clearly provides in Article 2, Section 3(b) that all cartage and road employees at new terminals *automatically* come under the contract. This clause is routinely applied whenever an NMFA carrier opens a new terminal. Yet deals are being cut, ANR workers are being paid well below scale, and in some instances the union refuses to even bring the employees into the union.

A Shameful Situation in Atlanta

In Atlanta, the company won't even say their employees are Teamsters. The ANR terminal opened there March 13. No union dues have been deducted from employees' checks and so far the company hasn't even paid H&W or pension benefits. At a meeting between Phil Simone, ANR labor relations man, and Local 728 President Jerry King and the employees, Simone stated, "You are not regular employees." He went on to say that the company has not signed an agreement with the Atlanta local. The union amazingly agreed! Local drivers are being paid at $10.31 an hour. When it was pointed out to Simone that this is 70% of the NMFA, which would be the contractual rate for new hires under the old agreement, Simone stated that the pay scale was just "picked out of the air" and has nothing to do with the contract. As in other newly opened ANR terminals, there is no company road operation. ANR is using a non-union operation, USA Transportation, to handle its road work out of these locals. ANR not only wants to cut union scale but also bust the union on the road driver side.

Simone offered the employees in Atlanta a "golden opportunity" by offering to "sign a contract right here and now," if the workers would agree to give up 15% of their wages. They refused.

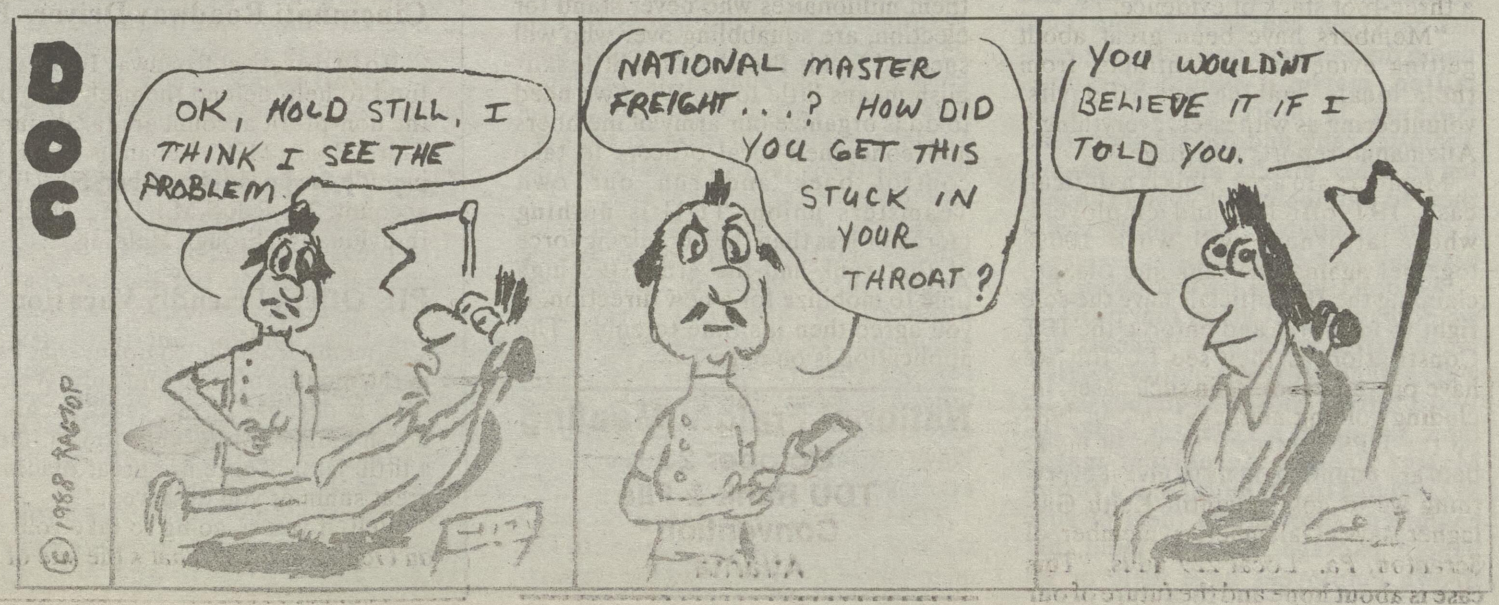
ANR in the East

In northern New Jersey, four new ANR terminals have been opened since late 1987 under bogus white paper agreements. Casuals are being paid $10.50 per hour (with $1 per hour extra put into an "annuity fund" they can collect later). Regular employees' top rate is $12.50 per hour. Worst of all, as in Atlanta, there are no union road drivers. The company is using USA Transportation here, too, as the non-union drivers pull the trailers to the gate and drop them off. Union officials have said this is OK because the drivers don't come through the gate!

In Allentown, Pa., ANR has started a breakbulk operation. No change of operations has been filed through the union procedure. ANR is paying $11.80 on the dock and in the yard and $12.50 for city drivers. Apparently, ANR will be using union drivers on the road from Allentown.

In Baltimore, Local 557 made the company stick to the NMFA as all locals should have. Workers for ANR in 557 have the full benefits of the union contract under the old NMFA until the new contract is signed.

It's a pitiful situation when one of the largest carriers in the country is tearing up the contract, cutting sweetheart deals with locals, and laughing at the home local of Weldon Mathis by not even agreeing to a contract. No action has been taken by the International to stop the union-busting activities of ANR. If ANR can get away with it, who will be next to open a new terminal under a sweetheart deal, or worse, with no contract. What carrier will be the next one to eliminate union road operations? Perhaps Weldon Mathis should reflect on this the next time he's out on the golf course working on his game.



Support Teamster Organizing Drives

Will Campaign at Brown Spur Freight Organizing?

Several recent attempts at organizing the unorganized in the freight industry have been initiated both by locals and the International in an effort to shore up the dwindling freight membership. This is encouraging news and hopefully the start of a trend toward a full-scale drive. While the attempts so far have concentrated on small- to middle-size carriers, perhaps success will spur the union to tackle the Con-Ways, Spartans, Vikings and other larger LTL carriers that have remained untouched by Teamster efforts.

Brown Transport Campaign

Brown Transport is a sizable Southern-based carrier. It has been represented for years by the Drivers Mutual Association (DMA), a company union. There are about 3,000 Brown employees nationwide. The campaign started when several Teamster locals throughout the country filed separate petitions to represent Brown in their local areas. The issue came before the NLRB to determine the appropriate bargaining units for the purpose of representation elections and bargaining rights. Both the company and the DMA stated that the only appropriate unit would be a companywide, national unit because the DMA now represents that very unit.

So the campaign became a national one. In Charlotte, where Local 71 was requesting a single terminal unit, the International intervened and went on record as officially agreeing to accept an election in whatever unit the NLRB would rule as proper. At that point the petition for representation was amended to include all 51 other Teamster locals throughout the country with Brown terminals in their jurisdiction.

Teamster attorneys believe the NLRB will rule a nationwide unit is appropriate. After that ruling, a representation election will take place for Brown employees on a national scale. The election could take place as early as August. The union wants to present authorization cards from at least 30% of Brown employees nationwide to proceed with an election. This is the first hurdle.

Teamster drivers, especially in the South, should assist this organizing campaign. Call your local union and ask how you can help. If your local union doesn't have an organizing committee, maybe it should start one. Nothing is more effective than Teamster rank-and-file members talking to other drivers and encouraging them to join the union. If you run into a Brown employee, tell him to sign a card and vote Teamster.

We don't have a perfect union, but we do have a real union that provides much better conditions, benefits and wages than this non-union carrier. When talking to Brown employees let them know that a Teamster under the Master Freight Agreement makes $12,000 to $16,000 more than a Brown employee. Also inform them of your benefit package. Keep in mind that Brown employees have little or no employer-paid Health and Welfare or pension benefits.

Current organizing campaigns are being waged at some Overnite terminals and at Schneider National, the non-union part of Schneider Transport. All Teamsters should actively support these efforts.

How to Really Organize — By Using the Power of the Membership

Indianapolis Local 135 has begun an innovative and powerful organizing drive among non-union carriers in its jurisdiction. It's not done by high-priced organizers, lawyers or business agents. Local 135 is relying on the strength of the membership.

A meeting was called May 1 at the Local 135 union hall to begin an organizing committee composed of members and stewards, business agents and officers. Educational sessions have been held by attorneys and experienced organizers to train the members in all the techniques and legal questions they will have to deal with in an organizing drive. The local has made good use of its members by creating roving pickets around non-union trucks and just plain old talking to the unorganized workers at the targeted companies.

The committee has organized workers at three small carriers in just a month, and a few more are ready to go Teamster. The committee already has involved hundreds of Local 135 Teamsters and is a model program that other locals should study if they are serious about organizing the unorganized and saving jobs in the freight industry.

We applaud the efforts of Local 135 and other locals actively engaged in organizing campaigns. When rank-and-file Teamsters are involved in the campaigns, the chances for success are much better. Get involved and ask your local how you can be of assistance in building our union.

A10 MONDAY, MAY 23, 1988 THE WASH

The Washington Post

AN INDEPENDENT NEWSPAPER

Teamster Democracy

LEADERS of the Teamsters Union recently negotiated a new master freight agreement with the trucking industry. As provided by the rules, the leaders then submitted the proposal to the membership for ratification, and the members have just voted 64,101 to 36,782 against. And how have the leaders responded?

As further provided by the rules, they have declared the contract in effect anyway.

Jackie Presser, before relinquishing the Teamsters presidency for four months to undergo cancer treatment, warned that he would do this. The union constitution allows the leadership to do so unless two-thirds of those voting oppose a contract; this was only 64 percent. The leaders say the contract is the best that the union can get, and that the vote shows they don't have the two-thirds they would also need to call a strike.

It's still wrong. Unions are supposed to be democratic. The Teamsters were one of several major unions to sign concessional contracts with weakened industries earlier in the decade. Now some members are seeking to recoup; yet the new contract provides wage increases of only 7 percent over the next three years. There are also objections to some ancillary provisions.

We have no idea what wages ought to be in the trucking industry, and the members may be making a terrible mistake. The leaders still should not have the right to brush aside their objections. The Teamsters are the nation's largest, and in that sense its leading, union. They have a long history of undemocratic behavior. When the AFL-CIO, which had expelled them in 1957, took them back last year, the line was that they had reformed. A decision that commits 100,000 people to work for three years under a supposed collective bargaining agreement they rejected 2 to 1 doesn't sound much like reform to us.

Teamster, AFL-CIO Merger

The Honeymoon's Still On

Some marry for love, others for money and security, and others for convenience. Since the wedding of the IBT and the AFL-CIO some eight months ago, the marriage is still in the honeymoon stage and has worked smoothly so far.

The immediate benefits for the IBT came in gaining allies to help ward off the government's proposed RICO suit against the International. For the Federation, the reaffiliation added some needed income in the form of per capita payments from the Teamsters and an easing of long-standing jurisdictional disputes among various unions and the IBT.

Smoothing out the transitional period for the reaffiliation has been left in the hands of a few top officials. Thomas Donahue, secretary-treasurer and a leading candidate to replace the ailing President Lane Kirkland, and chief counsel Laurence Gold have been handling the transition for the AFL-CIO. Weldon Mathis, Paul Locigno and Walter Shea are the chief players for the IBT.

Old jurisdictional scores are being settled. The IBT was infamous for its raids of AFL-CIO unions and competition in various organizing drives. The Teamsters have dropped out of several public organizing campaigns that were in competition with AFSCME, including a major organizing campaign at the United States Census Bureau. The IBT was given the right to try to organize Coors workers in Colorado, over the Machinists union.

One idea for the future is a general reorganization of the AFL-CIO. Apparently, agreement has been reached on paring down the number of affiliates through a series of mergers. One of Presser's chief goals was to speed up the process of affiliate mergers to create larger international unions. A Presser aide remarked, "The union movement badly needs to move forward toward fewer unions."

Talks with the railway brotherhoods may be the first step toward the possible establishment of a "ground transportation federation, probably loose knit." Interestingly, the Presser aide dismissed the airline unions as early partners because, "The airlines are in such a mess, we want no part of it at the present time."

One thing that hasn't changed because of the reaffiliation is the top-down structure of our union. Mathis and Shea should have more important things on their minds, like the master freight and carhaul agreements, than plotting grand mergers and political maneuvers within the AFL-CIO. While Teamsters nationwide are wondering who's running our union and are demanding reforms, it seems that our top leadership should take care of business in our own house before planning major remodeling in the House of Labor.

Pension Movement Gains Steam

If the union and employer Trustees of the Central States Pension Fund hoped that members would just be angry for a few weeks and then forget about the disappointing new schedule announced in April, they were wrong. Petitions bearing the names of over 25,000 Teamsters in the Fund have come in by mid-June, TDU organizer Ken Paff reports. The petitions call for $2,000 a month at 30 years (at any age), cost-of-living improvements and an end to the re-employment rule.

Reports are coming out from union officers and the Fund that as soon as August there could be changes announced in benefits. They may eliminate H&W coverage for early retirees (before age 57) and simultaneously boost the benefits in the direction people are demanding. However no facts on any changes are available at this time.

TDU is sending copies of the huge stack of petitions so far received to key members of Congress and the Department of Labor, calling on them to arrange a meeting between a delegation of members and representatives of the Fund.

Petitions continue to arrive every day. We urge all concerned Teamsters to circulate them and be sure to get them turned in as soon as possible to our Detroit office. Let's keep the movement building until we get positive results!

Two-Thirds Hits Stroh's

In early June, 2,000 Teamsters at five Stroh breweries voted by 54% to reject a national contract, but the International imposed it anyway, in the latest national use of the "one-third can ratify it" rule. Stroh Teamsters are unhappy with falling $2 to $3 an hour behind Teamsters at Anheuser Busch and Miller. Stroh is the third largest brewer in the United States.

Teamsters at the Los Angeles Stroh brewery were especially unhappy with the deal and voted No by over 90%.

1988 TDU Rank & File Convention

Beginning of a New Day for Our Union

In 1988 our union and the rank-and-file movement have gone through dramatic changes. We've seen the end of the Jackie Presser era and a struggle to succeed him. We've seen the government threaten trusteeship through a RICO suit. And we've seen the biggest opposition to the National Master Freight Agreement ever.

Along the way there have been successes and setbacks for the rank and file, but mostly successes. The feeling out on the streets is for change in our union, change from resignation and defeatism to strength and a positive outlook. TDU has been a part of that changing attitude and as a result we are growing faster than ever.

The winds of change are in the air. The rank and file are becoming aroused and are demanding their rights. They are speaking clearer and in a more unified voice than ever on the issues that will change this union. In contract after contract the members are rejecting agreements approved by our top officials at a pace that has never been seen before. More and more rank-and-file Teamsters are fed up with leaders who are unaccountable to the dues-paying members who make this union tick.

The winds of change are spreading the fire. The discontent among the members has spilled over to local officials who are tired of concessions and constant defeat at the hands of employers. More and more local officers resent being overruled by an ever more distant and uncaring International. It seems as though the whole union is spinning out of control. Tens of thousands of Teamsters are looking for a new direction.

The time is right for big changes. But it is also a dangerous time. Employers are watching the situation and will be ready to exploit it. They should never mistake our internal criticisms for weakness and disunity. They shouldn't believe for one minute that the membership is ready to cave in. Our dissatisfaction is creating new unity and strength. This is positive, and the employers fear it.

We are ready for change in a big way. But how is this change to be accomplished? How are we to show our unity and prove the strength of our resolve to both the employers and our International?

Change will come from organization, from Teamsters talking to and working together with other Teamsters. It will come from rank-and-file members and concerned officers getting together to chart a new course in an organized and intelligent fashion. It will come from a new breed of leaders who are unafraid of upholding democratic principles and understand that rank-and-file power is the foundation of true unionism, a power to be respected not feared, encouraged not quashed.

Such are TDU's values and such is the purpose of the TDU Rank & File Convention. It could not come at a better time.

This year's convention promises to be a historic event. We are on the verge of a new day in our union and are making plans to see that it comes as quickly as possible. It's at this convention that rank-and-file Teamsters will map out the next steps toward winning the Right to Vote for our top officials and in gaining Majority Rule on our contracts. We must prepare now for the 1991 International Convention.

We will be planning together to bring these democratic principles into being. We'll be discussing and voting on TDU's organizing program for the coming year on health and safety, contract enforcement, pensions and all other issues of importance to the rank and file. We not only preach democracy, we practice it, and will be electing our TDU International Steering Committee for the coming year.

To have effective programs and organizational plans—to make history—we need to reach hundreds of thousands of Teamsters. We need the active participation of those Teamsters who see a vision of a better future. We need those Teamsters who really care about the state of our union to join us in Atlanta, the home of our acting General President, Weldon Mathis. What message could be more significant than one sent to Mathis by hundreds of determined rank and filers demanding these inevitable changes and making plans to get them right in his home town?

This year's convention will include, as always, workshops to help you become a more effective union member. From learning your legal rights, to learning how to deal with stress at work, TDU educators will be holding instructional workshops designed for you. You'll also have the opportunity to meet with rank-and-filers and Teamsters leaders from across North America, express solidarity, kick around ideas and share a collective pride in the strong sense of unionism you'll see all around you.

This is the Teamster event of the year. If you're a Teamster who has wondered how things can really change, if you're a Teamster who wants to see the union in the hands of the rank and file, if you're a Teamster who is fed up and really wants to see our union be as strong as it can be—then you're invited to attend the Rank & File Convention.

We can either complain and hope that someone will do it for us, or we can take action to turn things around. On October 22 and 23 in Atlanta you'll have the opportunity to be part of the solution and you'll be proud to bring in a new day in our union. You've got nothing to lose but the registration fee. The gains are immeasurable. See you in Atlanta!

Convention Information

Registration costs: Saturday and Sunday convention registration of $89 includes the cost of meetings, materials and meals. Registration for only Saturday is $59; Sunday $39.

Hotel accomodations: We will be meeting and staying at the American Hotel. Room costs are $55 per night, per room, single or double occupancy. Reservations handled through the TDU office.

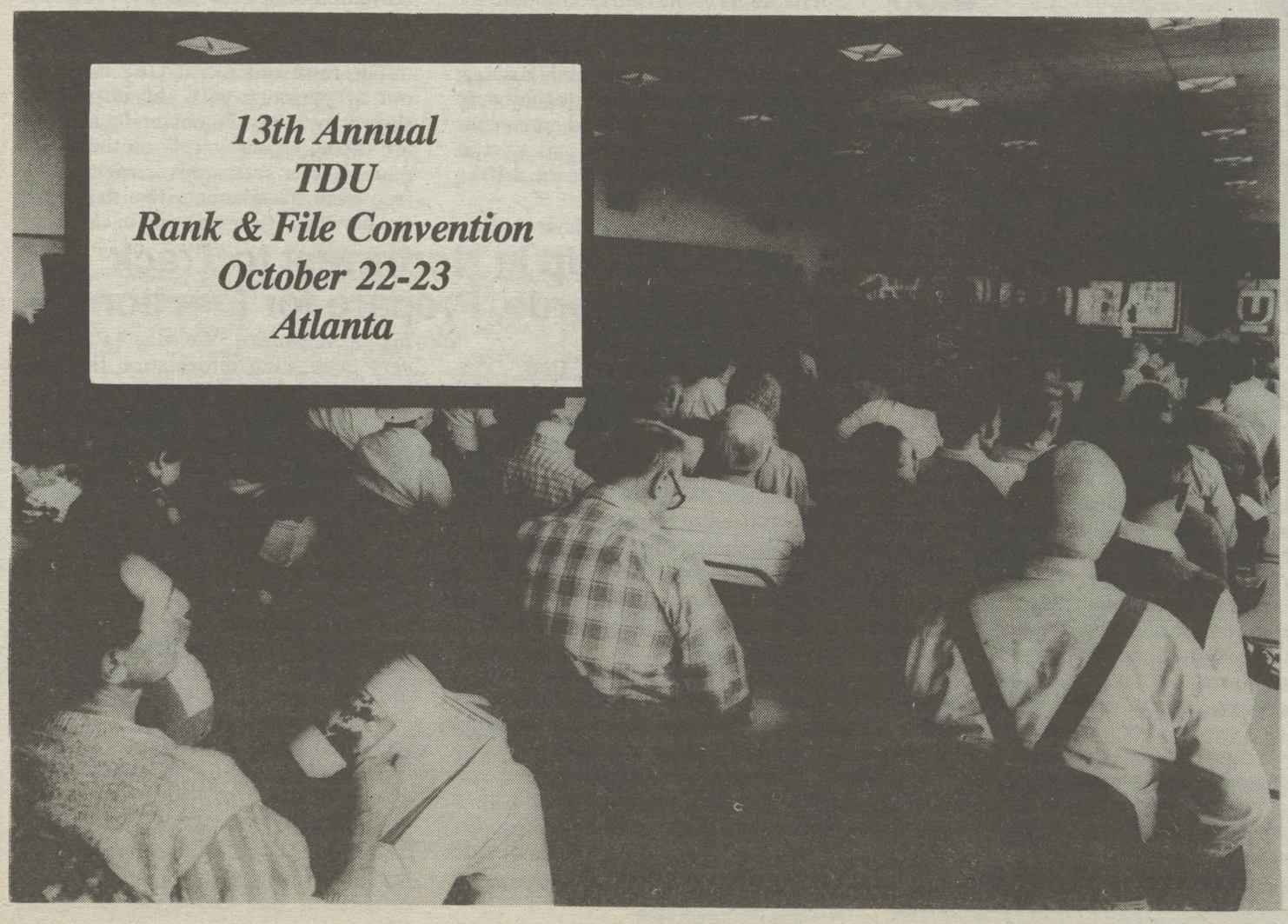
Additional Friday activities: There will be a special training session Friday afternoon, dinner program and reception. Cost for Friday registration (dinner included, cash bar extra) is $30.

Childcare is available for a nominal fee. You must request in advance.

Discounts: Those traveling over 500 miles receive $10 discount on registration; $20 discount if traveling over 800 miles (distances one way).

Early registration discount of $10 for those registering by Oct. 5. ($5 discount if registering for one day.)

TDU invites all Teamsters interested in defending our contracts and reforming our union to join us and attend the convention. We do reserve the right to exclude those who are opposed to TDU and its principles.



Don't Miss *Your* Convention

The TDU Rank & File Convention is *your* convention. Every TDU member is invited and has a voice and a vote in setting policy and electing leadership for the coming year.

It's your chance to learn how to be a more effective unionist and TDU organizer by participating in the many educational workshops and jurisdictional meetings, and by meeting reform-minded Teamsters from across North America.

The Rank & File Convention is for spouses, too. Spouses are encouraged to attend and become full and active members.

Plan now to join us in Atlanta. See above for more information. Full details will appear in coming issues of *Convoy Dispatch*, or contact the TDU office.

Suit Wins Right to Informed Vote on Contract

A court settlement June 7 in the eight-month-old *Braxton vs. Presser* lawsuit on the 1987 UPS contract ordered the IBT to provide copies to the plaintiffs, or their designated representative, of all proposed master contracts, supplements and riders on future contracts. The TDU plaintiffs are John Braxton of Local 623, Jerry Gaimari of Local 404, Anthony Smith of Local 639 and Lou Woodward of Local 79.

The order means UPS Teamsters' legal right to an informed vote on contracts will finally be assured. The contracts must be turned over "immediately following the meeting at which the proposed agreement is accepted by representatives of the local unions." That meeting is generally held in Chicago several days before local union meetings are held to "discuss" the contract provisions. If the meeting is not held, copies will be available at IBT headquarters.

The decision also means that through TDU contract bulletins, UPSers will not only know the provisions of the master agreement and their own supplements and riders but will also be informed of supplemental provisions in other areas of the country. This is essential because supplements are voted on in the national referendum. TDU will continue to fight for the right to vote locally on all supplements and riders.

The order by U.S. District Judge Norman H. Johnson also provides that the plaintiffs will be immediately notified and provided copies of any modifications through any subsequent negotiations prior to ratification.

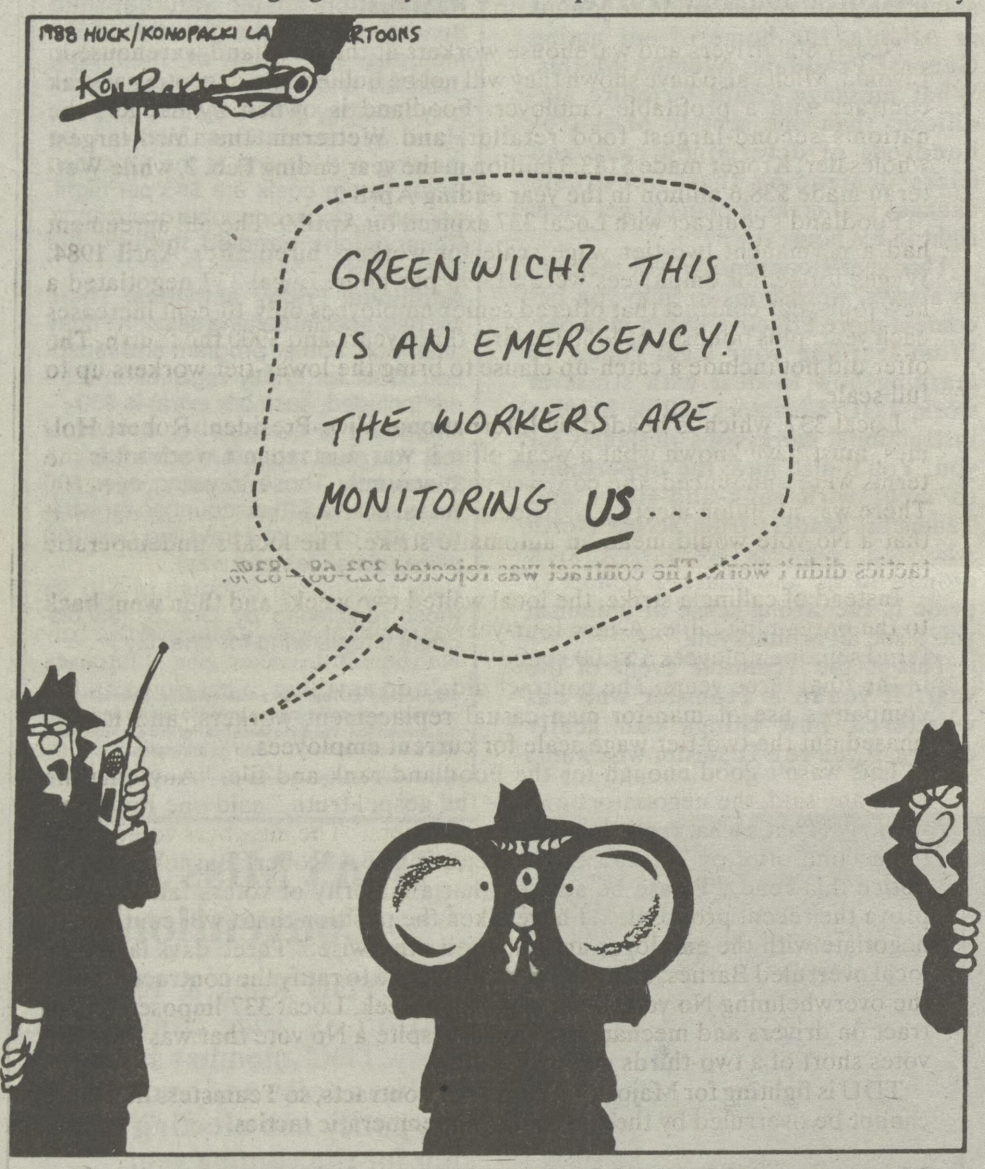
While judgment on the IBT's conduct and on a request to enjoin the contract was dismissed without prejudice, the settlement is a significant step toward achieving democratic referendums.

Braxton said he's encouraged by the results of the lawsuit.

"This is part of a series of victories we've had, both in the rank-and-file rejection of contracts and in legal action," Braxton said.

"In the 1984 *Bauman vs. Presser* case we took away the IBT's ability to negotiate a hurry-up contract extension without a vote of the members. Now we've won the right for every member to know what's in every UPSers' contract. This is not the whole battle. But we realize it's a longterm process."

TDU will continue to do everything possible to release contract and other vital information to all Teamsters, and to fight for Majority Rule on contract votes. The Local 804 lawsuit challenging imposition of the contract by minority rule continues in U.S. District Court in New York.



UPS and Downs

Teamster-UPS 401(K) Plan Finally Announced.

Details on the 401(K) Plan are being distributed to UPSers. Carefully consider how much you can afford to defer into the plan, as withdrawals will only be allowed in hardship cases and are subject to income tax and a 10% excise tax. Some 401(K)s allow you to borrow money at low interest on your account. This one won't.

We've heard estimates that up to $13 million per week may be deferred. UPSers should demand to know where this source of capital is being invested. Workers' pension funds are the major source of capital in the United States and should be invested in ways that protect our interests as well as our pocket books.

Best Answer Submitted on Last Month's UPS Quiz.

After we voted our contract down by 53%, our negotiators figured they'd get burned if they didn't come up with more for freight Teamsters. So we UPSers helped our freight brothers and sisters get more, though not enough!

Oregon UPSers Take Action Against On-Car Harassment

Tom Shay
Steward, Local 57, UPS
Eugene, Ore.

Some UPS supervisors performing "time studies" were surprised to find *themselves* being observed recently in Eugene. The time studies are updated every three years to ensure a "proper work measurement" of an area. The real objective is to implement production standards on the job. So far UPS has been unsuccessful in getting a specific production guarantee in the contract. But this hasn't stopped it from trying the back-door approach whenever it can find the door unlocked by local union officers.

On the first day of the time studies, two supervisors, on separate routes, were startled to find themselves being photographed and observed from a distance. In both cases they became very flustered: one to the extent that he stumbled and fell while getting into the truck, the other walked into a wall.

The supervisors were observed for about three hours, during which time they repeatedly obstructed the drivers' walk path and their view while driving, interrupted the drivers while they were sheeting packages, caused numerous delays during delivery and sorted packages in the trucks while the drivers were away.

Eventually, both supervisors approached their observers and demanded to know what they were doing. The observers identified themselves as part of a team covering Oregon and Washington that is observing and documenting time studies and cases of drivers being harassed by on-car supervisors. One of the supervisors seemed bewildered but tried to take it in stride. The other, however, fell into a state of panic!

What was this? Suddenly the tables were turned and *he* was in the hot seat. He rushed the observer and tried to grab his camera, but backed off when he stood his ground. Here was someone he couldn't intimidate. This person couldn't be fired. He had lost his power! At that point he turned, ran into a nearby business and called the UPS office for help.

Only the night before, at a company meeting, this same supervisor had been arrogant and condescending toward the drivers. He'd sneered and told them that he "knew all of their tricks." Any attempt by them to "pad" the time allowances would cause heads to roll. Now there was no sign of bravado.

The rank and file at UPS have run out of patience with the impotence shown by many Teamster locals. We are taking an active role on the job to guarantee a safe work environment, free from harassment. The drivers in the Northwest are fighting back!

Network Set Up in Northwest to Track Officers' Records, Prepare for Elections

Joe Duvall
Steward, Local 162, UPS
Portland, Ore.

Fellow UPSers, I am writing regarding our panel decisions in the Northwest.

We in the Portland area are getting sick and tired of the way our five-state panels are being conducted. Our panel doesn't even abide by its own rules of procedure.

We have been losing 80% to 90% of our grievances and we've had enough of this poor union representation. UPSers in Oregon are setting up a communications network for our five Northwestern states: Oregon, Washington, Montana, Idaho and Utah. The idea is to share information on elected officials in this area. We also want to be informed about your upcoming elections and of any Teamsters you may be planning to run for elected office. We may have some very interesting information that will help you win your elections.

We are asking one or two stewards from every center or building (no matter how small) in these five states to send us your name, address and phone number, along with any questions you may have. We welcome all Teamster stewards to contact us, not just UPS stewards.

TDU is growing in the Portland area, because our unions no longer give us the representation we need and deserve. In closing, we encourage you to exercise your right to vote, and to join TDU. Columbia Willamette Chapter of TDU, P.O. Box 19390, Portland, Ore. 97219.

See page 11 for more UPS coverage

National Solidarity Strike Possible

California Grocery Teamsters Strike Fleming Foods

Four Teamster locals—70, 150, 431, and 856—went on strike June 9 against Fleming Foods in Northern California. This strike is a major test of our union's strength, and has implications for all grocery Teamsters. The members and locals involved have been doing a first-rate job of building solidarity and spreading the strike nationwide.

Northern California grocery contracts are among the best in the country; working conditions are relatively good and wages are around $16 per hour. Fleming has just become the largest wholesaler in the country (see Grocery Bag). If it can destroy the California contracts, no Teamster grocery contract is safe.

On Jan. 10, Fleming imposed a "final offer" on Oakland Local 70. The offer contained such concessions as $1.50-an-hour wage cuts and three less holidays and sick days per year. This move followed a pattern in which Fleming has imposed concessions in Oklahoma City, Houston and Portland, Ore. With the Sacramento Local 150 contract expiring on March 31, Local 70 elected to work without a contract and build unity.

This is what is needed to win strikes: organizing members and stewards, building unity and community outreach, urging boycotts and spreading strikes nationally when necessary.

Fleming demanded the same concessions in Sacramento. The company wants to decrease wages and benefits, using the Certified Grocers warehouse in nearby Stockton as the excuse. The work at this warehouse was moved from Southern California last year and is still covered by the Southern California master grocery contract. Southern California standards are a bit lower than those of Northern California contracts. Fleming is now using the Stockton contract as its definition of "area standards," and claiming that all others must come down to that level. The union correctly sees Fleming's argument is a smokescreen; in other areas of the country, the company has not respected so-called area standards but has demanded concessions designed to bust them.

Fleming is running scabs, but has only been able to resume partial service. It has not yet threatened to permanently replace the strikers.

Fleming is concentrating on trying to service their two biggest chain-store accounts. The union has targeted these stores for handbilling, asking that people boycott Fleming's customers during the strike. Rank-and-file members are planning to canvas neighborhoods door-to-door with the boycott message. This handbilling to urge a boycott is legal following a recent U.S. Supreme Court decision (see page 3).

The striking locals are calling on other Teamsters for help with donations, picket-line duty and the handbilling efforts.

Northern California Teamsters at Lucky and Safeway also are working without contracts. The outcome of the Fleming strike will have an immediate effect on their wages and working conditions. Southern California grocery Teamsters are watching, too. Their master contract expires in September. The Food Employers Council, which represents California grocery employers, recently fired their president over his "conciliatory" approach to labor relations.

National Solidarity

The strikers are showing the unity that is desperately needed among Teamster locals in the grocery jurisdiction. In addition to the locals on strike, four others—78, 287, 588 and 853—are honoring the picket lines, as are a Longshoremen's local and a Machinists local. A Fleming TDUer from Local 287 reports that workers there are "hanging tough" in support of the strikers. Another TDUer said that the strike is "holding up good" in Fresno. "We're hurting them, this strike is effective," one officer involved in the strike told *Convoy Dispatch*. "And we are prepared to escalate it to protect our contracts."

The striking locals are sending representatives across the country to get support from other Fleming Teamsters. In Arizona, Wisconsin, Kansas—even as far as Philadelphia—the message of solidarity is spreading. Some Fleming contracts in locals outside of California are expiring soon. These locals, as well as those that don't have expiration dates soon, have the right to respect extended picket lines, making this a national battle.

The solidarity behind this strike comes from an extended effort by members and officers, starting with meetings of stewards from warehouses around California. This is what is needed to win strikes: organizing members and stewards, building unity and community outreach, urging boycotts and spreading strikes nationally when necessary. If our union can adopt these tactics not only for Fleming, but for Kroger, Super Valu and other nationwide employers, it may be the start of a new era for grocery Teamsters.

Local 984 Kroger Teamsters

Reject Offer, Want Pact with Memphis

Twenty Teamsters at Kroger's frozen-food warehouse in Batesville, Miss., are doing their best to demonstrate true unionism and solidarity. Despite pressure from management and Local 984 officials, the workers unanimously voted down a contract that would have left them with wages of less than $8 per hour.

Kroger opened this facility to divert work from its Memphis warehouse. A substandard contract was implemented that initially set hourly wages at $5.50 and moved them up to $7.25 by the final year (Memphis wages are about $4 higher). The Batesville contract's April 1988 expiration date didn't match that of either Memphis or the nearby Kroger warehouses in Jackson, Miss., and Little Rock, Ark.

This spring, Kroger and Local 984 proposed a new contract with three annual 25-cent wage increases, plus a $1,000 signing bonus. The contract also calls for a two-year wage progression for new hires, just to reach the ridiculously low regular wage.

This offer fits right in with Kroger's announced plan to expand the Batesville warehouse. A larger warehouse with a feeble contract would allow the

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Grocery Bag

Detroit Foodland Workers Take a Stand.

Nearly 600 drivers and warehouse workers at the Foodland warehouse in Livonia, Mich., also have shown they will not be bullied into accepting a weak contract with a profitable employer. Foodland is owned by Kroger, the nation's second-largest food retailer, and Wetterau, the third-largest wholesaler. Kroger made $183.3 million in the year ending Feb. 2, while Wetterau made $38.6 million in the year ending April 2.

Foodland's contract with Local 337 expired on April 9. The old agreement had a permanent two-tier wage scale for workers hired after April 1984. Wages for senior employees were $13.90 per hour. Local 337 negotiated a new four-year contract that offered senior employees only 10-cent increases each year, plus bonuses of $750 the first three years and $900 the fourth. The offer did not include a catch-up clause to bring the lower-tier workers up to full scale.

Local 337, which is headed by International Vice-President Robert Holmes, must have known what a weak offer it was. Less than a week after the terms were announced, the contract vote was held—on company property. There was no union meeting to discuss the terms. Workers were threatened that a No vote would mean an automatic strike. The local's undemocratic tactics didn't work. The contract was rejected 323-68—83%.

Instead of calling a strike, the local waited two weeks and then went back to the bargaining table. A new four-year agreement was reached, which offered senior employees a $1,000 bonus each year, and 10-cent wage increases in the final three years. The contract didn't do anything to cut down on the company's use of man-for-man casual replacement workers, and it only phased out the two-tier wage scale for current employees.

This wasn't good enough for the Foodland rank and file. "Anything the company said, the negotiators took as the gospel truth," said one Foodland worker. "That's what really bugged the members." The members voted down the second offer by 241-161, a 60% rejection. BA Robert Barnes posted a notice that read, "Please be advised that a majority of voters failed to approve the recent proposal. ... I have taken the position that I will continue to negotiate with the employer until advised otherwise." Three days later, the local overruled Barnes, using the two-thirds rule to ratify the contract despite the overwhelming No vote. That very same week, Local 337 imposed a contract on drivers and mechanics at A&P despite a No vote that was only five votes short of a two-thirds majority.

TDU is fighting for Majority Rule on our contracts, so Teamsters like these cannot be overruled by their officials' undemocratic tactics.

Management Merger Mania.

American Stores, owner of Alpha Beta and Star Market, has bought Lucky Stores for $2.5 billion. This puts American above Kroger and Safeway as the nation's largest food retailer. Lucky's chief executive has announced that American will combine its Alpha Beta operations in Northern California "as soon as possible" with Lucky's, while Alpha Beta's Southern California operations will continue to be separate for now.

With negotiations going on this year for the major California grocery contracts, rank and filers will have to fight to win job protections and the preferential hiring of Teamsters at either of American's subsidiaries. A *Los Angeles Times* reporter recently wrote, "Lucky and Alpha Beta employees better brace themselves for ... manipulators looking for ways to pay for the high cost of the Lucky takeover." Lucky has announced its willingness to negotiate job-security issues.

Fleming Foods, for many years the nation's second-largest food wholesaler, has bought Malone & Hyde, the fourth-largest. This merger puts Fleming ahead of Super Valu as the nation's largest wholesale company. At the same time that Fleming is shelling out $600 million to buy Malone & Hyde, the company has imposed wage cuts and other concessions in California, provoking a strike by Locals 70, 150, 431 and 856 (see story this page).

Rumors are circulating that two California wholesalers, A.M. Lewis and Certified Grocers, will be takeover targets in the near future.

Small Barn Sees Big Picture, Defeats Two-Tier

Workers: 'Our Unity Is Not for Sale!'

Dave Robbins
Steward, Local 504
Lindenmeyr Paper Corp.,
Canton, Mass.

I'd like to commend my union brothers at Lindenmeyr Paper Corp.'s Canton, Mass., warehouse. We are a small bargaining unit of 11 drivers and warehousemen, members of Local 504 in Boston. It is a small barn, but we see the big picture. We successfully turned back an attempt by management to institute a two-tiered wage structure.

Lindenmeyr, which sells paper to the printing industry, has warehouses in Hartford, Conn., New York City and Philadelphia, as well as Canton. Each location works under a different contract and the company had extracted concessions, in the form of two-tiered wages, at all of the warehouses except Canton.

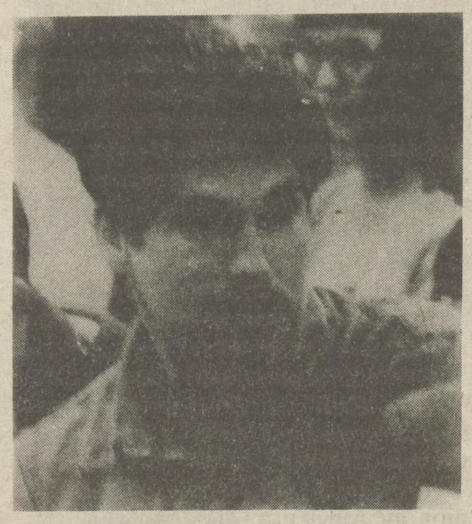
Two-tiered wages have been the scourge of the '80s in all jurisdictions. While giving away the future of younger and unemployed Teamsters, two-tiered wages make higher-paid, senior Teamsters more expendable and set up a second class of Teamsters. Management uses the two-tier as a divide-and-conquer weapon to break down worker unity.

Because we are a small barn, we have a lot of opportunity to discuss issues. Lindenmeyr workers have a history of militancy. There was a two-month strike in the winter of 1983-84 at the old South Boston warehouse. In August 1985, the company moved to a new warehouse in Canton and hired hatchet man Bob Topliff to manage the New England operation. Protecting our contractual, past practice and legal rights has become a daily challenge. Several shopping bags full of grievances over a three-year period attest to this.

List Men Say 'No Dice'

We began holding our own rank-and-file meetings on the upcoming contract in February. Two things we expected from the company were a cap on our health and welfare and the two-tier wage scale. We voted to declare these unacceptable. The business agent, Jim McGrath, maintained our position throughout the negotiations.

The company wanted to pay $2.50 below scale to new hires and casuals, and freeze health and welfare con-



Dave Robbins

tributions. As the rank-and-file participant in the negotiations, I informed the men on what had taken place after each bargaining session.

The wages offered were pitiful, but the company made it clear that if we caved in on the two-tier, the pot would be sweetened for the list men. All 11 said, "No dice." The last session lasted 13 hours. The company modified its two-tiered demands throughout the day. The health and welfare issue was resolved by opting out of Blue Cross/Blue Shield and into an HMO. The company agreed to pay the full cost of the plan.

By nightfall the message was clear, we weren't going to buy a two-tiered wage structure. The company knew from experience that if it tried to force the issue it would have to contend with a strike. At 9 p.m. they offered to pay casuals and new hires the full rate and accepted our proposal to pay casuals an extra four hours of straight pay for every eight days worked. Casuals should receive more money in wages for the job security and benefits they are denied. However, Lindenmeyr still wanted a lower rate for a new category, "temporaries."

The union didn't budge. We had been demanding wage increases of 60 cents per hour each year of the three-year contract and pension contribution increases of 30 cents over the life of the contract. Finally at 10 p.m. the company offered to drop all demands for the two-tier and offered us 45¢-40¢-40¢ in wages and our 30-cent proposal on pensions. The company said the wage offer would increase if we accepted some form of two-tier, but the union stood pat.

I distributed copies of the final offer the next morning and a few days later we voted to accept.

Our experience may seem like small potatoes in the face of the upheaval over the Master Freight Agreement—but we were victorious. We showed a small shop can be a strong union shop. Lindenmeyr wanted us to sacrifice unity for a little more money in our pockets. We showed them that unity is not for sale.

TDUers Support Strikers at IP

Rick Clark
Eastern Mass/R.I. Chapter chairman
Bridgewater, Mass.

In an inspiring show of solidarity, over 10,000 people rallied April 30 in Jay, Maine, to show their support for the ongoing United Paperworkers International Union (UPIU) strike against International Paper (IP).

Members of our Eastern Mass./Rhode Island TDU steering committee met in Boston where, along with many other area unionists, we boarded three Greyhound buses to travel to Jay. The Greyhound drivers, who donated their time as a show of support, had talked their employer into donating the three buses for the day's events.

The 1.5-mile march to the main gate of IP was led by a Teamster Local 25 van, carrying officers and business agents from that local.

Over 3,400 members of the UPIU have been on strike or locked out since March 1987, when IP demanded major concessions from its workers at mills in Maine, Alabama, Wisconsin and Pennsylvania. Despite record profits of almost $300 million in 1987, IP demanded a 10%-12% pay cut, elimination of double time for holidays, subcontracting and the team concept, which would combine job classifications and eliminate jobs. IP has been running its mills with scabs for the past year.

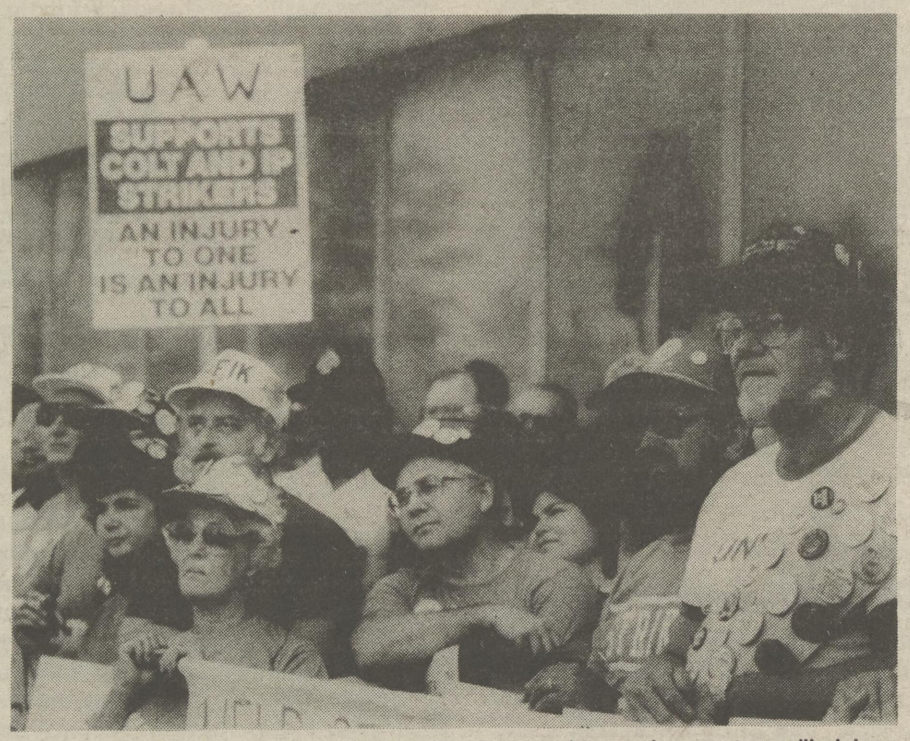
The recent TV coverage on labor-related events in Poland has shown me the Russians can still learn from us. When it comes to anti-unionism, IP is a master and the Russians mere amateurs.

After the march, strikers and supporters from every conceivable trade spent the rest of the day discussing the strike and the labor movement, and listening to speeches.

The one person who expressed the conditions in Jay the best was a 9-year-old boy. He marched up to that main gate and stood there with a sign that simply read: "Whatever it takes—As long as it takes."

Announcement

Our Eastern Mass./R.I. Chapter will be sponsoring a workshop: *Workers Comp: Your Rights Under Law*, 10 a.m. Sept. 17 at the VFW Hall, 88 Chilson Ave., Mansfield, Mass. Featured speakers will be attorneys Bernard Cohen (Mass.) and Stephen Linder (R.I.). All Teamsters and spouses are invited. Mark your calendar.



Solidarity Rallies Spread. Over 400 Detroit union members and supporters rallied June 14 in solidarity with their striking brothers and sisters at International Paper plants and at Colt Industries, Hartford, Conn., where 1,000 UAW Local 376 members have been on strike since January 1986. The rally was held at the historic Ford Rouge Overpass, where Ford workers faced off against company thugs 51 years ago in their drive to unionize. Several veterans of the "Battle of the Overpass" made connections between the struggles of the '30s and the '80s. The Colt workers received support for their nationwide boycott of Colt firearms from the Wayne County Sheriff's Department, which has informed Colt Industries it will not purchase scab guns. Present were IP workers from Jay, Maine, Connecticut and Wisconsin. The rally then marched to the UAW Local 600 hall for a fundraising dinner. The rally was sponsored by the Metro Detroit AFL-CIO, UAW SEMCAP and Teamsters Joint Council 43.

Local 984 Kroger

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company to put heavy pressure on Memphis workers when their contract expires in December.

The Batesville rank and file organized, traveled to Memphis and distributed handbills at Kroger stores. They contacted Memphis Kroger workers to consider joint strategies. They put off voting on the new contract, to build solidarity.

Unfortunately, Local 984 officials have played into the company's hands. When the Batesville workers asked for authorization to extend picket lines to Memphis should they go on strike, the local didn't give an answer! Once Local 984 saw that the Batesville workers weren't going to be pushovers and accept the contract, they brought in Local 480 President Luther Watson. Watson, who makes $191,000 per year from four IBT jobs, met with the workers but couldn't persuade them they should be earning less than $8 per hour. Then Local 984 officials held a mail vote on the contract, hoping to break the workers' solidarity.

This tactic didn't work, either. The contract was unanimously voted down, and Batesville Teamsters are asking the local to bring them under the Memphis contract when it is renewed. They will not be part of Kroger's plan to divide and conquer the two groups. This is unionism at its finest, and it is a shame that these outstanding Teamsters are not getting more support.

Plans are being made to send a representative from this group to the TDU Rank & File Convention in Atlanta this fall.

Presser's Health Worsens; Hughes, Friedman Trial To Proceed July 12

Dr. Robert Spetzler testified before a federal court hearing in Cleveland June 7 that Jackie Presser may live for about six months and is too ill to stand trial. Presser underwent surgery to remove a brain tumor May 17 and is undergoing radiation therapy in Phoenix to treat a smaller tumor. Presser's trial was indefinitely postponed.

Federal judge George White ordered International Vice President Harold Friedman and Tony Hughes, a Presser crony, to stand trial on July 12, as scheduled. Attorneys for Friedman and Hughes then filed for a postponement and also filed a motion to take the deposition of Presser before their trial begins. Separate from this action, TDU attorney Paul Levy is requesting to take Presser's deposition, too, on behalf of Cleveland Local 507 Teamsters who have sued to recover some $2 million to the union treasury from those who perpetrated the ghost scam.

Friedman's defense is that as president of Local 507, for which he is paid over $200,000 a year in addition to other union salaries totaling $538,000, he knew nothing of any ghosts on the payroll. Presser is secretary-treasurer of the local and both men signed several hundred checks over a period of nearly 10 years to convicted ghosts Allen Friedman and John Nardi Jr., among others.

Hughes' defense is that, like Presser, he was moonlighting as a paid FBI informant, so any possible embezzlement of the members' money was not illegal.

The case filed by the TDU members to recover the money does not depend on Presser's finking to the FBI on other Teamster officials. Labor law does not permit union officers to pay criminals and relatives ghost salaries, no matter for whom the officials are moonlighting. That case has been postponed until after the criminal trial.

Meanwhile, Harold Friedman continues to draw all his salaries and, with Presser in terminal condition, will likely soon take over the position of highest paid union official in the world.

Local 63 Correction

An article titled "Goons Cost Local 63 Damages of $570,000" (*CD #78*, May 1988) reported on a good squad's attack on dissenting members of the Los Angeles local, stating, "Some 30 people wearing secretary-treasurer Bob Marciel's re-election T-shirts, including the hiring hall dispatcher, attacked them. ..." Testimony at the trial differed on the role of the dispatcher, and no hiring hall dispatcher was found to have attacked anyone or led the attack. We regret the error on this point.

Atlanta Local 928

TDUers Demand Democracy in New UPS Local

The first membership meeting of newly chartered Atlanta Local 928, called to explain the 401(K) Plan to UPSers, offered democratically minded members a glimpse of how business will be conducted in Lamar Mathis' new domain. The former secretary-treasurer of Local 728 announced that, as "trustee" of Local 928, he has full authority to run things as he sees fit.

It seems Lamar wanted to make sure he had plenty of rank-and-file support behind him, too. That must be why he called on his appointed stewards to meet before the membership meeting. It assured him of a loyal majority.

Lamar would have UPS members believe the chartering of Local 928 at this time is solely in the interest of better representing them. He called the Department of Labor's investigation of last fall's rigged Local 728 election a "witch hunt." Why, he's put a new cellular phone in his Lincoln and while union meetings are suspended for the summer, he'll be touring the state to work on UPSers' problems. UPSers should ask, why now? Could it be he's actually going on the campaign trail?

While there was interest in discussing the 401(K), many of the 71 members in attendance (including a few of some 40 stewards) were more concerned about a non-agenda item: democracy in their new local. Flyers were distributed by TDUers asking for a financial report, information on bylaws preparation and rank and file input, whether the bylaws will include elected stewards and the right to set officers' salaries, and when the membership's right to vote for local officers will be respected.

Lamar did say meetings will be held on bylaws, and members will want to nail down the particulars. But no financial report has been provided to the members of either local on salaries of the new "officers" and assets transferred from Local 728 to 928.

Doug Mims, a member of the Teamsters for Democracy slate in last fall's contested Local 728 elections, was ejected from the meeting by Lamar because he is not a member of Local 928. Mims attended as a representative of concerned Local 728 members. A motion on Mims' attendance was put to a vote. The result was a foregone conclusion and he was ordered to leave. "They don't want to see members organized to demand their rights," Mims says.

UPS feeder driver Richard Black read a statement to Lamar summing up members' concerns and demanding democratic change:

"It is obvious to me and to many others within Locals 728 and 928 the real motiviation of creating 928. It was out of your concern that the Department of Labor would overturn that election and mandate a new election ... and of the very real and excellent possibility you would lose that election.

"If you had truly wanted to better represent the employees of UPS, you would have delayed the creation of Local 928 until after the protest of the election in Local 728 had been resolved by the Labor Department. If the violations that occurred were not satisfactory to overturn the election, you should put it (928) to a vote of the rank and file of UPS and not a petition. And if we decided Yes, then we should have an immediate election within weeks and not years to determine who we want to represent us in the years to come.

"May I suggest: 1. That you dissolve Local 928, whereas you, Willie Baker and the others would retain your positions in Local 728, pending the decison of the Labor Department. Or, 2. You and the other 'appointed officers' of Local 928 resign your positions and allow the Labor Department to establish a trusteeship until an election can be held within three or four months to determine who the rank and file truly want as their representatives."

Lamar responded by saying he is not going to dissolve Local 928 because he has put too much work into it. What he fails to understand is he does not own Local 928.

Carhauler Writes on Coveralls

In our last issue, we reported on CCI-Phoenix management's refusal to provide coveralls that are appropriate for the desert. On May 15, CCI driver Louis Ortiz wrote to Anthony Burns, head of the Ryder company. Below we reprint excerpts from Ortiz's letter.

In your memorandum of January 25, 1988, I liked what I read in the policies you outlined. I saw phrases such as "individual rights," ... and my response, as a loyal employee, is very postive. These new policies have great potential to make a positive impact; unfortunately, they are not filtering down to the lower management level. ...

In recent months, the Phoenix terminal manager, Louis Procopio, is demanding that we wear coveralls that have been designed for a much milder climate. The coveralls are 65% polyester and in the heat it is like wearing a plastic bag because the synthetic materials do not breathe well. ...

I have spoken with Mr. Procopio on several occasions requesting more suitable apparel (preferably cotton). He has unequivocably denied these requests and has demanded that all drivers wear the coveralls. ...

Mr. Burns, I feel we all need to work together to ensure quality shipment of damage-free cars. Without good business ethics on everyone's part, there can be no trust. Without trust, there can be no cooperation, and without cooperation, the company's objectives cannot be achieved. ...

Local 63

Officers File for New Trial on Goons

L.A. Local 63 officials have filed a motion for a new trial. This follows the federal court jury award of $570,000 to nine dissenting members who attempted to attend the local nomination meeting in 1985. Instead, several of them wound up in a hospital after a goon squad's attack.

Rather than move to settle the issue, the officials have now made a motion for a new trial. If they lose, which is expected, they then may appeal the case. The court also has awarded costs and fees to the plaintiffs' attorney of $270,000, so Local 63 now owes a total of $840,000.

The International has refused to loan the money to pay the award or to post a bond if an appeal is made. Local 63 may have to borrow the funds commercially. If so, the rank and file will then have to pay the $840,000 judgment and interest on it, a growing legal bill from appeals, and interest on any loans. All this in addition to the shame brought on our union by this horrible attack.

The local union could propose a membership assessment, which is a normal method locals have of paying off fines. But this would require a rank-and-file vote by secret ballot. The officials lack the guts to ask the members to vote to pay for the goon attack while the secretary-treasurer of the local draws $149,000 from the local treasury. There will be an election later this year.

Who Should Control the Teamsters Union?

TDU has the answer — membership control of our union through the right to vote. Let others know where you stand by wearing and distributing this new button.

Price: $1.00 each, 10 or more 75¢ each, 100 or more 50¢ each.

Please send me _____ buttons.

Enclosed $_____. Mastercard/Visa #_____ Exp. date___/___

Name_____ Local_____

Address _____

City_____ State_____ Zip_____

Return to: TDU, Box 10128, Detroit, MI 48210

Freight Vote Shakes Carhaul Talks

In May, Teamsters under the Master Freight Agreement gave carhaulers a big boost. With a 64% No vote, freight became the third straight group of members to reject their national contract by a majority. Last fall UPS Teamsters voted down their contract by 53% and in 1985 carhaulers rejected the first offer by 81%. Carhaulers have rejected four out of the last six proposed contracts by more than 50%.

The freight contract contained some improvements in past concessions, partially upgrading the two-tier wage scale and improving the drug-testing program, though problems remain. However, freight workers expected elimination of past concessions and showed it in their votes.

An important feature of the freight vote was that many locals came out and recommended their members vote No. Many of the same locals represent carhaul Teamsters: Southern California Local 63, Detroit Local 299, New Jersey Local 560, Baltimore Local 557, Houston Local 988 and Framingham Local 170, to name a few.

BAs involved in the carhaul negotiations report that the freight vote sent a shock wave through the talks. Proclaiming significant progress had been made, a 30-day extension of the contract was announced.

Freight's vote helped push off the bargaining table most of carhaul management's outrageous takeaway demands. It seems likely management will now hope to get the necessary one-third Yes votes by offering a "stand pat" contract, which will allow them to continue attacking wages and conditions by whipsawing locals and areas against each other.

Carhaulers now face a fight to protect their contract and the union in their industry. The outcome can affect every Teamster.

Vote No on Status Quo

Stopping concessions in carhaul will require changes not just in the contract, but also in the way it is negotiated, administered and enforced. Most of the greatest concessions have been given up willingly during the life of our contracts by the top union officials who control our grievance panels. These same officials are now negotiating this agreement. They have included few demands to improve the grievance machinery.

So a stand-pat contract for carhaulers will mean further decline and concessions. That is why the Carhaulers Coordinating Committee of TDU has recommended carhaulers vote No on any contract until they are guaranteed the right to elect the union co-chairs of the committees that enforce and interpret our contract.

Bargaining for the basic changes needed will not begin until carhaulers show we won't settle for the status quo. We will also have to show we won't settle for empty promises, like the extra protection against double breasting that was supposedly included in the 1985 contract, but turned out to be a cruel joke as management introduced double breasting on a massive scale.

In the bulletin announcing a comprehensive set of contract proposals last November, the CCC challenged our top union officials to conduct a referendum on those proposals, to elect the union's negotiating committee and to call a conference of elected rank-and-file delegates and BAs to hammer out a bargaining position to stop the slide of the Teamsters union in the carhauling industry.

Those proposals were ignored by our top officials. But much has changed since last November. Our General Executive Board is deadlocked on choosing a successor to Jackie Presser. While Weldon Mathis is our acting General President, Walter Shea is a contender. Never has a vote by carhaulers held more promise or commanded more attention than the vote on this contract. Never has basic change in the contract and in our union been a more real possibility.

The question in the weeks ahead is will rank-and-file Teamster carhaulers and the best of our BAs and local officers have the determination to use their power to bring some democracy, stability and fairness to the carhaul contract.

The CCC will continue to provide the contract bulletins that are essential to that fight. If your terminal has not taken a Carhaulers Solidarity Fund collection, call (313) 842-2600 today. If you are not a TDU member, join today so you'll receive all bulletins and information in the mail. Help spread the word by ordering a bundle of *Convoy Dispatch* to involve others at your terminal.

Owner-Operators Organize, Fight and Win

Owner-Operators at CCI in Chicago have produced a petition for owner-operators nationwide to defend their interests in these negotiations.

The petition notes that, as brokers' pay falls, "the owner-operators are positioned to undercut the company drivers, **placing the negotiated driver's wage in serious jeopardy.**" That's why defending owner-operators' protections against wage cuts should be a priority for every Teamster carhauler.

Owner-operators have been among the hardest hit by the collapse of union resistance to management ripoffs in the grievance committees. And they have been among the most persistent in defending their rights. They report near unanimous response to the petition, which is being sent directly to the union negotiators.

The petition calls for the elimination of all ancillary charges, which the companies have been able to deduct at will from an owner-operators' portion of the revenue. It calls for all employee benefits to be paid from the employer's share of the revenue, and it calls for elimination of the 10% trip-lease deduction taken from the revenue when hauling out of other terminals of the same company or parent company.

The importance of these demands was illustrated May 31 when Gordon Birdsall of Kenosha Auto Transit asserted he could refuse to restore a $1.54-per-unit cut that had been forced on **KAT owner-operators in Port Newark, N.J., Local 560** last year, for one year only. Birdsall tried to bluff his way through, but the KAT drivers, and a KAT steward from Baltimore Local 557 whom they invited to attend the meeting, stuck together and forced Birdsall to stick to his word. Birdsall restored the money to the drivers' pay, but openly boasted he would just get the money back by asking the grievance panel for an ancillary charge

CCI management in Chicago has also gone to great lengths trying to lock its employees into substandard conditions prior to the new contract. But as at KAT, the drivers held firm and management backed down for now.

As previously reported here, Ryder says its new subsidiary, Convoy Company, underbid its other subsidiary, Commercial Carriers, for a portion of the Toyota traffic. They have told the CCI drivers they could go to Convoy with their seniority, but would need to sign a new, dramatically inferior lease that has dozens of new loopholes for deductions and seems to include retroactive justification for past ripoffs.

After weeks of trying to cajole the CCI drivers into giving up their seniority and their existing leases, all 18 had still refused and on May 13 CCI announced the existing leases would be canceled May 31. After a flurry of letters to the International, CCI extended the deadline until June 27 to allow the union legal department to review the lease. Showing its contempt for the union, CCI says it will cancel the leases no matter what the union says.

The new lease is supposedly "division wide," but Ryder is trying to force it on Chicago and Memphis, before taking on the M&G drivers in the East. They are also trying to induce one Convoy driver in Chicago and five new Convoy drivers in St. Louis to operate as owner-operators.

Until recently they had been paying the Chicago Convoy driver 25% of the revenue, which is totally illegal, but had been allowed by Bill Joyce, who is head of Chicago Local 710, ignorant about carhaul and a big shot in negotiations for the carhaul contract.

The past three years, management has been perfecting the tactic of whipsawing one terminal, group, or company against another. Ryder's introduction of new Convoy owner-operations shows it plans to add a new element.

Although improved contract language will be necessary, without union officials who feel accountable to enforce the contract, new language will not solve the problem. That's why the Carhaulers Coordinating Committee will advocate a NO vote until our union gives us the right to elect the officials who negotiate and enforce our contract.

CARHAUL CONTRACT COMING

As we go to press the carhaul talks are nearing an end, according to various members of the Negotiating Committee. On June 17 bargaining closed on the Eastern, Central-Southern and Western Supplements, with numerous issues "deadlocked" to the national table. This means key issues have passed up to the International. We will soon have a tentative first offer to vote on.

Carhaul Contract Bulletins are being prepared with all the news on the bargaining. If you don't have them at your barn, contact TDU immediately at (718) 834-0631 or (313) 842-2600.